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2
3 **BEFORE THE STATE OF WASHINGTON**
4 **ENERGY FACILITY SITE EVALUATION COUNCIL**

5 In the Matter of
6 Application No. 2004-1

7 WIND RIDGE POWER PARTNERS, LLC.
8
9 WILD HORSE WIND POWER PROJECT
10

DECLARATION OF F. STEVEN
LATHROP

11 My name is F. Steven Lathrop. I am over the age of 18 and competent to testify herein. I
12 make this Declaration in support of my Petition to Intervene in this matter.

13 I've previously submitted to EFSEC, a Petition for Intervention and a Brief in Support of
14 the Petition for Intervention which was filed at the request of the Honorable Adam Torem,
15 administrative law judge. When Judge Torem requested we file a brief, he suggested we
16 specifically provide briefing on my ability to intervene under CR 24. We did that. The briefing
17 in opposition we have received from the Applicant ignores CR 24 and focuses entirely on WAC
18 463-30-400 and RCW 34.05.530. The Applicant also cites to EFSEC Council Order 701 in
Application No. 96-1 (Olympic Pipeline).

19 In my Petition for Intervention one of the basis in which I believe I have an interest is that
20 the "impacts of the proposed site on land values and precedent will set for the future regarding
21 the propriety of location and will be direct and immediate on Mr. Lathrop and his property" will
22 be direct and immediate on Mr. Lathrop and his property". (emphasis added). As a citizen of this
23 county, I have a direct, vested interest in what is allowed to be developed in this county that
24 exists well beyond any property interest I may have. I oppose the blight with which this project
25 will scar the county and the far reaching precedent it will have to condemn vast areas of the
county from its impacts and those of projects to come.

26 DECLARATION OF
F. STEVEN LATHROP

1 The response by the Applicant and Friends of Wildlife and Wind Power assert the project will
2 not impair my view. The Applicant submits direct evidence that indicates the project will be
3 visible from my property. The Applicant argues that the visibility will be minimal. I would
4 suggest that the critical facts are only partially that the project will be visible from my property
5 but also include that this project, if approved, will undeniably set a precedent in the county for
6 future, similar projects presenting cumulative impacts on view sheds, land values, and
7 development conditions.

8 As important, the Applicant and Friends of Wildlife and Wind Power's briefs and the
9 evidence they provide suggests that my position that the siting of wind power facilities will
10 impact property values is "speculative". They totally ignore the broader questions of the direct
11 impacts this project will have on land values generally and what its approval will mean for
12 similar projects to come. This county has provided for a wind power "overlay" zone that makes
13 the entire county eligible for such a project. To say that Wild Horse means nothing to the rest of
14 the county or citizens at some distance from its boundary is naïve to the point of being utterly
preposterous. To deny me the right to intervene under these circumstances is unconscionable.

15 It is simply disingenuous for anyone, let alone Mr. Bricklin who regularly represents
16 citizens who may lack direct property interests but nonetheless oppose projects of various kinds,
17 to assert that general citizen interest in a project, whether pro or con, should be prioritized so that
18 one can participate and one cannot. It is also interesting to note that the project will not be
19 visible from Mr. Kruse's property, even though it is substantially closer, but will be from mine.
20 His intervention is purportedly about concerns for game migration and bird impacts. Mine is
about land values, view impacts, and development precedent. I see no basis for differentiation.

21 Attached hereto and incorporated herein by reference is pre-filed direct testimony in
22 EFSEC Application No. 2003-01. It is a testimony of Roger Weaver, a realtor with 26 years of
23 experience in the Kittitas Valley who opines "the construction of wind turbines by the Applicant
24 will have detrimental effect on property values within the view shed". My property, based upon
25 the evidence presented by the Applicant is within the view shed. Thus, there exists expert

1 testimony that construction and siting of wind towers within Kittitas County will negatively
2 impact property values, mine included.

3 This appears to be the sole reason the Economic Development Authority, represented by
4 Ms. Strand, has been allowed to intervene. They wish to provide evidence that, in part, supports
5 the notion that the siting of wind turbines in this county will have no impact on property values.
6 I submit that if my position and interests are speculative, then theirs are just as speculative and
7 they should not be allowed to intervene. The notion advanced by the Economic Development
8 Authority that they have the ability to represent my interest and advance their cause at the same
9 time is ludicrous, specious and absolutely without merit. They do not represent me in any way.

10 Kittitas County has been granted intervener status in this Application. The County is
11 there to ensure that county zoning and development rules and regulations are adhered to. They
12 have no function other than to ensure that county zoning and development rules and regulations
13 are adhered to and certainly do not represent my concerns.

14 Friends of Wildlife and Wind Power have been allowed to intervene. Their interests are
15 also different than mine. They support the siting of wind turbines as requested in the application
16 but wish to ensure that they are sited in such a manner as to not interfere with an elk herd and
17 “their” ability to view that elk herd. I wish to retain my unobstructed view of the eastern
18 horizon. How are these interests different?

19 Thus as it stands right now the only interveners are entities and governmental units which
20 either, are in favor of the siting of wind turbines, believe they will result in no impact on property
21 values or have as a function assuring proper local land use rules and regulations are followed.
22 None of the interveners are adverse to the Applicant. They are all, save Kittitas County which is
23 neutral, supportive of the Applicant. The Applicant seeks to avoid my intervention because the
24 Applicant knows I am not in favor of wind farms, I have aggressively opposed other projects the
25 Applicant has pending before EFSEC, and I am opposing projects third party wind power entities
26 have proposed for Kittitas County. The fact that any wind power project will have significant,
adverse impacts on land values, quality of life, view sheds, and other intangible effects, will set a
precedent for the future, and these wind turbines in particular will be in my view shed and may

1 impact my property values make it clear there is no party in this action that can adequately
2 protect my legal interests.

3 I hereby certify or declare, under penalty of perjury under the laws of the State of Washington
4 that the foregoing is true and correct.

5 Signed at Ellensburg, Washington this _____ day of _____, 2004.

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F. Steven Lathrop

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DECLARATION OF
F. STEVEN LATHROP

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